GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Vijayawada Municipal Corporation – Allegations against Sri Y.Rajendra Prasad, Superintendent and the then Manager I/c (now retired), Vijayawada Municipal Corporation – Departmental proceedings initiated - Enquiry conducted – Charge held proved – Imposition of penalty of 5% cut in pension permanently under Rule-9 of A.P. Revised Pension Rules, 1980 – Orders – Issued.

MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (Vig.II.1) DEPARTMENT

G.O.Rt.No.823 **Dated:31.10.2022.**

Read the following:

1. From Commissioner, VMC, Lr.Rc.No.C1-151452/2010, Dated.06.09.2012.
2. Charge Memo. No.Rc.C1-151452/2010, Dated 19.02.2013 issued by the Commissioner, Vijayawada Municipal Corporation.
3. WSD of Sri Y.Rajendra Prasad, Superintendent and the then Manager I/c (now retired), dated 01.03.2013 & 30.03.2016.
4. Govt. Memo.No. 30113/Vig.II/2012, Dated 11.01.2013.
5. From Commissioner, VMC, Lr.Rc.No.C1-151452/2010, dated: 19.02.2013.
6. G.O.Rt.Nos:424, MA&UD (Vig.II-2) Dept., Dt.14.06.2017.
7. From Smt. C.Anuradha, the then RDMA., & E.O., Guntur, Letter Roc.No.1/2017/CA (Vijayawada), Dated.28.08.2019.
8. Govt.Memo.No.30113/Vig.II/2012, Dated.06.01.2020.
9. Written Representation of Sri Y.Rajendra Prasad, Superintendent and the then Manager I/c (now retired), dated: 19.08.2021.
10. Govt.Memo.No.30113/Vig.II/2012, Dated.02.11.2021.
11. Explanation of Sri Y.Rajendra Prasad, Superintendent and the then Manager I/c (now retired), dated 02.12.2021.
12. Govt. Letter No.30113/Vig.II/2012, Dated.19.04.2022.
13. From the Secretary, APPSC, File Computer No. 1737563, dated: 10.07.2022.
14. Govt. Memo. No. 30113/Vig.II/2012/A1 (E-1024088), Dated.24.08.2022.
15. Written representation of Sri Y.Rajendra Prasad, Superintendent and the then Manager I/c (now retired), dated 15.09.2022.

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O R D E R:

In the reference 1st read above, the Commissioner, Municipal Corporation, Vijayawada, stated that Sri B.Venkateswara Rao, Senior Asst., requested for permission to retire from service on medical invalidation grounds. The file was wrongly processed and without referring the case along with medical board report to the District Level Committee, the said individual was permitted to retire from service on 04.01.2011 on medical invalidation grounds. Subsequently, the individual expired and his son applied for a job on compassionate grounds. The matter was placed before the Standing Committee to submit the proposals to the District Level Committee. Based on the resolution of the Committee, the matter has been placed before the Committee for ratification. Competent authority refused the proposal, since there is no provision to ratify the action taken as the conditions in this regard have not been followed. It has been reported that the concerned staff

(P.T.O)

who dealt the subject matter had mislead the officers and had not processed the file according to the procedure laid down for the purpose of providing compassionate appointments on medical invalidation grounds and accordingly the competent authority initiated disciplinary action against the concerned. He has therefore, requested to consider the circumstances of the case and ratify the action taken by the Commissioner, Vijayawada Municipal Corporation.

2. In the Govt. Memo. 4th read above, the Commissioner & Director, Municipal Administration, A.P., was requested to identify the persons responsible and furnish draft articles of charges etc., against the officials responsible for allowing Sri B.Venkateswara Rao, Sr. Asst., Vijayawada Municipal Corporation to retire from service on Medical invalidation grounds without referring the case to the District Level Committee for obtaining its recommendations, to Govt., for taking further action as per Rule 20 of A.P.C.S. (CC&A) Rules, 1991 and APRP Rules, 1980.

3. In the Letter 5th read above, the Commissioner, Municipal Corporation, Vijayawada, among others, stated that responsibility was fixed against Sri Y.Rajendra Prasad, Superintendent and the then Manager, Sri G.Anjaneyulu, Senior Assistant and another and being the competent authority, charges were framed against Sri Y.Rajendra Prasad, Superintendent and the then Manager I/c and Sri G.Anjaneyulu, Senior Assistant, Vijayawada Municipal Corporation

4. Having not convinced with the written statement of defense submitted by the charged officers, it was decided to conduct regular inquiry and after following due procedure, orders were issued, appointing an Inquiry Officer to inquire into the charges framed against them vide reference 6th read above.

5. In the reference 7th read above, the Inquiry Officer submitted her report and held that all charges are proved against Sri Y.Rajendra Prasad, Superintendent and the then Manager I/c (now retired) in the enquiry. In the reference 8th read above, a copy of inquiry report has been communicated to the charged officer for offering his written representation in terms of Rule 21(2) of APCS (CCA) Rules, 1991.

6. In the reference 9th read above, Sri Y.Rajendra Prasad, Superintendent and the then Manager I/c (now retired) submitted his written representation and requested the Government to drop further action in the matter.

7. Government have examined the written representation of Charged Officer, keeping in view the findings of the Inquiry Officer and provisionally decided to impose a penalty of 2% cut in pension for a period of one (1) year under Rule-9 of AP Revised Pension Rules, 1980 against Sri Y.Rajendra Prasad, Superintendent and the then Manager I/c (now retired), since he failed in bringing the rule position to the higher ups, though he quoted the precedent case, which led to seek ratification orders from the Government.

8. In the reference 10th read above, a show cause notice has been issued to Sri Y.Rajendra Prasad, Superintendent and the then Manager I/c (now retired), as to why the above said penalty cannot be imposed against him under Rule 9 of A.P. Revised Pension Rules, 1980. In reply, the Charged Officer submitted his representation in the reference 11th read above and requested to drop the penalty proposed against him.

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9. After careful examination of the inquiry report and the written representation of the Charged Officer and after following due procedure, Government has decided to impose a penalty of "2% cut in pension for a period of one (1) year against Sri Y.Rajendra Prasad, Superintendent and the then Manager I/c (now retired), as he failed in bringing the rule position to the higher ups, though he quoted the precedent case, which led to seek ratification orders from the Government.

10. In the reference 12th read above, while furnishing the case details and entire record, the APPSC, Vijayawada, has been requested to convey their concurrence for imposing the penalty of "2% cut in pension for a period of one (1) year" against the Charged officer, as per Rules in force. In the reference 13th read above, the Secretary, APPSC, Vijayawada, has informed that they examined the matter in the light of records made available and advised to enhance the punishment to "05% cut in pension permanently" against the Charged Officer.

11. Government have re-examined the matter and decided to enhance the proposed punishment of "2% cut in pension for a period of one (1) year" to that of "05% cut in pension permanently" against Sri Y.Rajendra Prasad, Superintendent and the then Manager I/c (now retired).

12. In the reference 14th read above, a show cause notice has again been issued to Sri Y.Rajendra Prasad, Superintendent and the then Manager I/c (now retired), as to why the above said penalty cannot be imposed against them under Rule 9 of A.P. Revised Pension Rules, 1980. In reply, the Charged Officer submitted his explanation in the reference 15th read above and requested to drop the penalty proposed against him.

13. After careful examination of the written representation of the Charged Officer and keeping in view the advice of the APPSC, Government have decided to impose a penalty of "5% cut in pension permanently" against Sri Y.Rajendra Prasad, Superintendent and the then Manager I/c (now retired), since he failed in bringing the rule position to the higher ups, though he quoted the precedent case, which led to seek ratification orders from the Government and the charges held proved in the inquiry.

14. Accordingly, Government hereby impose a penalty of "5% cut in pension permanently" against Sri Y.Rajendra Prasad, Superintendent and the then Manager V/c (now retired), Vijayawada Municipal Corporation, as the charges held proved in the Inquiry.

15. The Commissioner, Vijayawada Municipal Corporation, NTR District, shall take further necessary action in the matter accordingly.

16. The receipt of G.O., shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR F ANDHRA PRADESH)

Y. SRILAKSHMI
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri Y.Rajendra Prasad, Superintendent and
the then Manager I/c (now retired), Vijayawada Municipal Corporation

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- **through** the Commissioner, Vijayawada Municipal Corporation (w.e.)
The Commissioner, Vijayawada Municipal Corporation, Vijayawada.

Copy to:

The Commissioner and Director of Municipal Administration, A.P., Mangalagiri.
The Secretary, APPSC, Vijayawada.
Sf/Sc.

//FORWARDED BY ORDER//

SECTION OFFICER.